

Venture

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IMPASSE IN CYPRUS

THE collapse in Cyprus of everything that British rule stands for, security for life and property, personal freedom, the transformation of external authority by stages into self-government, has been mainly due to a long series of policy blunders culminating in the deportation of Archbishop Makarios.

When the headquarters of the Middle East land and air forces was moved in 1954 from the Canal Zone to Cyprus, the Government decided to make a fresh bid for the goodwill of the islanders. It was therefore announced in July that Cyprus would have a parliamentary constitution, though British defence requirements ruled out a change of sovereignty in the foreseeable future. The proposed constitution, with a nominated majority in the Legislature, was less liberal than the constitution offered and rejected in 1948. It was not the meagre constitutional advance but the denial of Enosis by constitutional means that started Cyprus on the path of violence. In the spring of 1955 the first shots were fired.

Within a few months of this outbreak of violence a major reversal of policy occurred. At the Tripartite Conference held in London in the autumn, the Foreign Secretary produced another constitution for Cyprus. It gave the island internal self-government under an elected assembly. But this was accompanied by a statement that self-determination would be withheld on strategic grounds. Tension in Cyprus increased. A soldier, Sir John Harding, was sent out as Governor in October and, in the following month he declared a state of emergency in the island.

December witnessed another dramatic reversal of policy. The Foreign Secretary told the House that Cyprus would have self-determination 'some time and on certain conditions.' Thus within eighteen months and as a result of mounting

violence, the Government had conceded the basic demands of self-government and self-determination. These events naturally encouraged the Cypriots to believe that the Government would concede to violence what it would not give through persuasion. While the Archbishop and the Government talked, outrages continued. By the end of February the principals had agreed to leave self-determination for settlement after the new self-governing constitution had been established.

The negotiations finally got stuck on three comparatively minor issues, the scope of the amnesty, control of the police, and the composition of the new legislative assembly. Instead of re-examining these points of difference, the Government has broken off the talks and deported the Archbishop. This means that there cannot be an agreed settlement, as there is no longer a moderate leader in Cyprus with whom we can negotiate. The Eoka terrorists and communists are left in control of the nationalist movement.

Another result is that anti-British feeling in Greece will weaken the NATO alliance in the Mediterranean and may drive the Greek Government into neutralism. Meanwhile the value of Cyprus to us as a military base has been seriously diminished. We know that of 14 major military units in Cyprus, 12 are spending 90 per cent. of their time on internal security. These men are therefore not available for protecting British lives in the Middle East or for carrying out our obligations under the Tripartite Agreement. We found in Egypt that a hostile population can make a military base untenable. This lesson makes it clear that the goodwill of the islanders is essential on strategic as well as political grounds.

The immediate prospect is more bloodshed and an indefinite period of coercion. We may have to wait for a change of government in this country

before talks can be reopened with the Archbishop and the path cleared for a friendly settlement that will end violence and coercion.

GOLD COAST DILEMMA

THE declaration by Mr. Gbedemah that if the British Government refuses to grant independence 'the people of the Gold Coast—not the Government—might be forced to declare themselves independent,' illustrates the point of tension which has now been reached in this vital colony. The fact that the National Liberation Movement immediately replied that if this were done it would not recognise, but would resist, such an act, emphasises still more strongly the gravity of the situation.

This continuing and increasing atmosphere of tension is the more regrettable in that the Bourne Report appeared to have provided a basis for compromise and conciliation. Sir Frederick Bourne seemed to have met all the important complaints of the N.L.M. He suggested that Regional Assemblies should be set up, that the chiefs should be consulted on matters concerning their functions and status, and that the regions should be represented on public boards. On the other hand, he supported the Government in opposing complete federalism and transferring responsibility from the Cabinet and Legislature to a Constituent Assembly.

By all reasonable standards it would appear that the major objections of the Opposition were met, without disturbing the central principles of the Government. This should have offered an opportunity for accommodation and negotiation on both sides. Unfortunately, Dr. Nkrumah's invitation to a round table conference on the proposals was refused by both the N.L.M. and the Northern People's Party. It is true that the Prime Minister has not been particularly tactful in his approaches, yet the impression remains that the Opposition is more concerned to divide the country than to secure a *modus vivendi* which would enable independence to be achieved.

By the middle of this year, with the Togoland plebiscite out of the way, all the technical details preparatory to independence will be settled. The people of the Gold Coast will then be challenged to show an example to the whole African continent of the ability of a Negro colony to become an independent state conducted on the principles and practice of good government. To secure the conditions favourable to this achievement requires a firm declaration on the date of independence by the British Government and a yet more strenuous determination in the Gold Coast to avoid such conflict as would irretrievably divide their people.

KENYA TRADES UNIONS

THE promptness with which Sir Vincent Tewson, Secretary of the British T.U.C., flew to Kenya to investigate the position of the Kenya Federation of Labour, threatened by Government, indicated beyond doubt that British trades unionists were deeply disturbed at the proposed ban. The Federation is not itself a trade union but, as its name implies, is a miniature T.U.C. It is, however, registered under the Kenya Societies Ordinance, and the threat was based on the accusation that it was acting beyond its declared objects.

The Kenya position is peculiar, in that since the Emergency no national African political movement is legal, only tribal ones. The basis of the government charge is that the Federation is being used to circumvent this law. The Federation gave evidence on the franchise to the Coutts Commission and recently its Secretary, Mr. Tom Mboya now studying at Oxford, has made various political pronouncements, with the backing of the Federation, on immigration, the colour bar, and so on.

As the Federation General Council points out, all these matters affect their members. So do conditions of political representation, in a country where labour legislation descends to minute detail. It is as unreasonable to expect them to keep quiet as to expect the Farmers' Union never to mention the government.

Unfortunately, the European members of the Legislative Council who raised the storm have themselves no experience of modern trades unionism, and the oddest ideas of what it involves. It is to be hoped that Sir Vincent can educate them. When the T.U.C. visits Downing Street, it does not discuss particular wage rates or working conditions, but the general economic and political background, on which its opinion is eagerly sought.

While there is reason to think that day-to-day trades union organisation in Kenya still leaves much to be desired, none the less no one can object to the Federation expressing opinions on wider matters, provided that it does not itself put candidates into the field. That would turn it into a political organisation in the proper sense. In the meantime, it can show various issues, such as government refusal to accept Wages Council decisions, police interference with legitimate trades union work, and so on, which, taken with the proposed ban, undermine African confidence—and in the absence of any organised political party, it is peculiarly necessary for the Federation to make its own views clear. Even when such a party comes about, as it will, the Federation will still have a duty to pronounce on subjects of vital concern to its constituent bodies.

The Fabian Colonial Bureau in 1955

THE departure of Marjorie Nicholson on March 31st, 1955, after ten years of devoted service, was a very great loss to the Bureau. Her first-hand knowledge of East and West Africa, her grasp of constitutional developments, her wide contacts and sympathetic understanding of the problems of the colonial peoples, made her contribution to the work of the Bureau outstanding. We are glad that she is continuing her service to the colonial territories in her new post in the International Department of the T.U.C.

Publications and Research

Owing to temporary under-staffing in the earlier months, consequent on the departure of Marjorie Nicholson, research was confined to the latter part of the year. In July a paper on the subject of Bulk Purchase and Long-Term Agreements covering colonial commodities was prepared to assist the Jamaican delegation in their negotiations with the Secretary of State on banana and citrus marketing. The delegation expressed warm appreciation of this, and the Advisory Committee decided that it should be expanded into a pamphlet to cover this important aspect of Labour Government policy. The pamphlet was nearing completion by the end of the year.

With the co-operation of the President of the Northern Rhodesian African Congress, a memorandum was prepared on the subject of the large-scale evacuation of Africans from their lands in connection with the Kariba Gorge Hydro-Electric Scheme; and this was subsequently used by a Parliamentary delegation to the Secretary of State.

The Bureau has naturally concerned itself closely in recent months with East African affairs. The publication of the Royal Commission Report on East Africa was an event of major importance, and a study of this was made and an article on the subject by Arthur Creech Jones was published in the August issue of *VENTURE*. A comprehensive study was also made, by Lord Lucan, of the aims and objects of the Capricorn Society, and his findings summarised for subsequent publication in *VENTURE*. The publication at the end of the year of the Coutts Report on African Representation in Kenya, and of the Kenya Government's Sessional Paper No. 39 on the same subject, involved the Bureau in much work, the details of which belong properly to next year's report. A brief paper was also prepared for the use of the Advisory Committee on present tendencies in European immigration into Kenya.

A number of discussions have taken place on a new volume of *Fabian Colonial Essays* and two conferences have been held. The essays are now being written and Arthur Creech Jones has accepted the editorship.

Considerable time and thought have been given to the problems of colonial students and immigrants in this country. A special number of *VENTURE*

—September, 1955—was published to draw attention to the need for further investigation. At the same time, Dr. Clarence Senior and Mr. Douglas Manley were asked by the Jamaican Government to make a survey in this country. The Bureau was able to give some assistance and has decided to publish an abridged version of the Report, edited by Norman Mackenzie of the *New Statesman and Nation*.

Every effort has been made in *VENTURE* to combine accurate information with an interpretation of political change guided by the members and contacts of the Bureau in the territories. Extracts from overseas replies to our colonial questionnaire were published in March, July and August. *VENTURE* has also tried to reflect the changing political climate in Asia since the Bandung Conference of April, 1955.

Political Action

Members of Parliament, who are members of the Advisory Committee, as well as others, continued to receive information and suggestions for questions and debates in both Houses. They have also arranged deputations to the Colonial Secretary on Nyasaland, Basutoland and Northern Rhodesia. Particular attention has been given to repressive legislation introduced into Northern Rhodesia and Tanganyika and to racial discrimination. Continuous pressure has been maintained for the extension of African education in Kenya, Tanganyika, Nyasaland and N. Rhodesia and the work of the Extra-Mural Department of the University of East Africa. The Bureau has been greatly helped in its wide range of political action by discussions with visitors from all the main, and some of the smaller, territories, including Zanzibar, British Somaliland and Dominica.

Meetings

Private members' meetings were held whenever members and friends returned from visits to the colonies. E. T. Montgomery spoke on 'Social Problems in Jamaica,' David Williams on 'West Africa,' Lord Faringdon on 'Malta,' G. Brian Stapleton on 'N. Nigeria.' On December 1st there was an International Reception at Caxton Hall by the Central London Fabian Society to raise funds for the Colonial Bureau.

A number of functions was arranged to bring together members of the Advisory Committee and Prime Ministers, Chief Ministers and delegations from the territories, including the Kenya Parliamentary delegation, the Mauritian delegation, Mr. Mintoff of Malta, Mr. Marshall of Singapore and Ministers from Sierra Leone and Nigeria.

Organisation

On the departure of Marjorie Nicholson, Hilda Selwyn-Clarke was appointed Secretary on a part-time basis, and Eirene White gave her valuable assistance in editing *VENTURE* during the period prior to the acquisition of further staff. The

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Advisory and Working Committees continued to function as formerly, under the chairmanship of Lord Faringdon and Arthur Creech Jones respectively. From June onwards the staff situation was eased by the appointment of T. F. Betts, who has had long experience in the Colonial Service, as Assistant Secretary, primarily engaged in research, and by the acceptance of the offer of full-time voluntary service by Mary Winchester, who took over special responsibility for Parliamentary work. The Bureau underwent a number of changes in the field of secretarial assistance until the recruitment of Phyllis Allfrey in December put this matter on a satisfactory basis.

We wish to record our thanks to members of the Committee, who have given us so much help in this difficult year, to contributors to VENTURE, to Mr. Charles Cannell who has continued his voluntary work each week, and to Mr. David Shaffer who has initiated the reorganisation of the library.

We should also like to record our appreciation of the co-operation of John Hatch, Commonwealth Officer of the Labour Party, and the assistance given by the office of the Parliamentary Labour Party.

The Advisory Committee at the end of the year consisted of: *Chairman*: Lord Faringdon; *Vice-Chairman*: Reginald Sorensen, M.P.; *Hon. Secretary*: Dr. Rita Hinden; and members of the Committee: Dr. Thomas Balogh, H. N. Brailsford, Ritchie Calder, F. A. Dalley, Rt. Hon. John Dugdale, M.P., C. W. W. Greenidge, Rt. Hon. James Griffiths, M.P., John Hatch, Walter Hood, John Hynd, M.P., Carol Johnson, James Johnson, M.P., Rt. Hon. A. Creech Jones, M.P., Professor Arthur Lewis, the Earl of Listowel, the Earl of Lucan, Rt. Hon. Hilary Marquand, M.P., Bernard Nicholls, Marjorie Nicholson, John Rankin, M.P., F. M. Skinnard, W. P. Watkins, Eirene White, M.P., Ronald Williams, M.P., and Anthony Wedgwood Benn, M.P.

Membership subscriptions are still far too small to provide a satisfactory financial basis for the Bureau, and in thanking all members for their support throughout the year, it is necessary to hope that this will be maintained and increased in 1956.

FARINGDON, *Chairman*.

REGINALD SORENSEN, *Vice-Chairman*.

RITA HINDEN, *Hon. Secretary*.

Exodus with a Difference

IN a few years' time Lord Malvern, Prime Minister of the Central African Federation, will have a grand and concrete memorial to his name. The Kariba dam across the river Zambezi will be one of the great hydro-electric works of the world, and he has been its foremost protagonist. It will hold back the waters in a man-made lake nearly two hundred miles long and up to twenty-five miles wide, covering an area of over a million acres of land. And from that land, without consultation or appeal, some 44,000 Africans are to be evicted.

It cannot be denied that the Federation in the next few years is facing a serious power crisis, but to this problem more than one answer has been propounded. The steady post-war expansion of mining in the Copperbelt has brought electricity consumption there almost to the full capacity of the existing plant. In 1954 consumption was 130 megawatts as compared with a plant capacity of 163 megawatts. These generating stations are of the thermal type and cannot be expanded because of the problem of fuel. The coal for them has to be brought on a long and expensive haul over a railway inadequate to maintain full supplies. About 25 per cent. of the fuel requirement is therefore made up of wood cut locally, and already for this purpose over two hundred square miles of forest land have been stripped.

In 1957 the situation will be partially eased by the completion of a hydro-electric scheme on the Lualaba river in the Belgian Congo which is to supply 50 megawatts a year. But the Copperbelt requirement is estimated to rise by 1964 to 285 megawatts and thereafter by 9 per cent. a year. The same situation arises in Southern Rhodesia where

anticipated industrialisation is expected to lead to a very great expansion in the demand for electricity for many years to come. This problem can only be solved by the creation of new sources of power.

Africans a Negligible Factor

Other things being equal, it is natural enough that thoughts in the Federation should turn to the harnessing of the great rivers which flow within their boundaries, in particular the Kafue, a tributary of the Zambezi, and the Zambezi itself. As long ago as 1948 Northern Rhodesia employed British experts to examine the possibility of a series of hydro-electric works on the Kafue—wholly within Northern Rhodesian territory—and received in 1950 a favourable report. At the same time Southern Rhodesia was considering the potentialities of the Zambezi around the Kariba Gorge, where the river forms the boundary between the two territories.

In recent years there has been bitter argument as to which of these two schemes should have priority. When the negotiations for Federation were taking place, agreement between the Northern and Southern Rhodesian Governments was reached which gave priority to Kafue, but in 1954 Lord Malvern, then Sir Godfrey Huggins, appointed a group of French hydro-electric experts to re-examine both schemes. On the basis of their report, in 1955 he came down on the side of Kariba. He based his decision on much disputed technical and financial grounds, but he was accused by Northern Rhodesians of breach of faith and the Mayor of Lusaka, who petitioned the Queen, asserted that 'political expediency was the very real consideration when the Government decided to go ahead with the

Kariba project.' The consideration which counted for nothing in the argument was that although the Kafue scheme involved the displacement of only about 1,000 Africans, the Kariba scheme required the evacuation of 44,000. To anyone who knows how attached the African is to his land, his shrines, his burial places, this difference might well have seemed to be the decisive factor.

The Promised Land

Of the people to be displaced in the Zambezi valley approximately 29,000 live on the Northern Rhodesian bank, and are still the responsibility of the Secretary of State for the Colonies. They belong to the Gwembe tribe and they farm the alluvial bottoms with the aid of ploughs and cattle. They are enabled to do this because along the Zambezi itself there is no tsetse fly and therefore an absence of sleeping sickness. Some little distance from the river the ground climbs a rough escarpment to the Tonga Plateau along which runs the rail and road link between Livingstone and Lusaka. The Plateau itself is fertile and fully populated, but the escarpment slopes are said to contain many steep gradients and to be much broken by dongas and ravines. The smaller streams arising on these slopes are infested with tsetse fly, the more especially as the area in the past has been left to game. These tributaries moreover are seasonal and there is therefore a considerable difficulty over permanent water supplies. Yet as far as can be ascertained it is to these areas that the people of the valley and their livestock are to be moved.

Such accounts as are available of the proposals for this transfer are vague and contradictory. In March, 1955, Lord Malvern said, 'The Africans living in the Zambezi valley are among the most primitive in the Federation, and are living in one of the unhealthiest parts; resettlement can only be to their advantage. . .'. In November, 1955, the Provincial Commissioner was reported as saying that 'There were a tremendous number of problems associated with the move, but two major ones were the provision of water and suitable land free from tsetse fly.' Even the time-table for removal appears to be undetermined. The French expert, M. Andre Coyne, in his report to the Federal Government, stated that at least six years would elapse from the decision to undertake the work to the beginning of the filling of the reservoir. Yet in September, 1955, the Secretary for Native Affairs in Northern Rhodesia said that the evacuation of the first villages would commence after the harvest in July, 1956, and the complete move was likely to take three to four years. It seems incredible that in so short a period all the operations necessary for the comfortable transference of so large a body of people, the eradication of tsetse, the construction of new roads and villages, the provision of water supplies, and the clearing of new land for farms, can be achieved.

In November, 1955, the Northern Rhodesian African Congress, by the hand of its President, Harry Nkumbula, forwarded a petition to the Queen

through the Secretary of State, pleading against the move and suggesting the substitution of thermal power from nuclear sources. Lord Malvern had earlier brushed aside the possibility of nuclear power on the grounds that it would be too expensive and would take twenty years to introduce. This is contradicted flatly by the British plan for building ten atomic power stations within the next 12 years. We have to recognise, however that in the Kariba scheme we are now faced with a *fait accompli*. Funds have already been raised, an access road has been built, and work has been started on the dam site. A reversal of the decision is therefore most unlikely. All that can be hoped for is to ensure that the rigours of the move are mitigated as far as possible, that it is properly planned, and that the arrangements in the reception areas are fully adequate. There is little evidence of this to date. In November, 1955, Lennox-Boyd stated in the House that he had not been asked formally to give his authority for the evacuation, yet the Provincial Commissioner had said earlier that month that a start had already been made in the resettlement of Africans. Lennox-Boyd also refused to see Nkumbula to discuss the petition, and as a result the Labour Party in December sent a strong delegation to him which received an assurance that he would look further into the matter and inform them of the result.

Information still Inadequate

Three months have passed and the situation still remains obscure. Under continued pressure from Arthur Creech Jones and Eirene White the Colonial Office has made available an Administrative report of July, 1955, outlining the resettlement plan, but this is primarily a statement of the problems, and, in any case, has been subjected to very many alterations by the departmental experts. We have also had, as a result of questions in the House, a statement made by the Secretary for Native Affairs to the Northern Rhodesian Legislature which contains the admission that 'In planning the resettlement of these people we have been, and to some extent still are, hampered by a lack of knowledge.' Finally, we read in *East Africa and Rhodesia* dated March 15th, 1956, that revised resettlement plans have been announced, of which the Secretary of State has apparently no cognisance. The one certain fact emerging is that 2,000 people will be moved between now and June next, to villages of which even the sites have so far been only tentatively chosen.

The planning as revealed to date is piecemeal and meagre to the point of farce, whereas what is really required is something on the scale of a major military operation. The Government must bring to it the same energy, imaginativeness and prodigality of man-power and money which they are pouring into the building of the dam itself. And they must demonstrate, by the detailed publication of a coherent plan, the sincerity of their concern for the Africans involved.

T. F. BETTS.

BRITISH CARIBBEAN FE

FEDERATION of British West Indian Islands in the Caribbean Sea is now a fact, although not yet an accomplished fact. The Report on the February Conference ended with these words: 'It is the unanimous agreement of those of us who have had the honour to represent the British Caribbean colonies on this historic occasion that our countries should be bound together in Federation, and we solemnly declare our earnest wish that the Secretary of State may seek leave to introduce a Bill accordingly.'

Mr. Lennox-Boyd's statement, 'The way is now clear for me to seek leave to introduce into Parliament an Enabling Bill,' sealed the success of the conference. Mr. Lennox-Boyd had announced at the opening session that he was prepared, subject to the conference reaching agreement on all substantial points, to introduce an Enabling Bill into the United Kingdom Parliament at an early date. 'Such an Act,' he added, 'would enable the constitutional instruments of the Federation to be embodied in an Order of Her Majesty in Council which would provide for the establishment of the Federation, including the appointment of a Governor-General and holding of Federal elections at a date to be decided.'

Elections for the Federal Government are to be held as soon as possible in the first quarter of 1958. A Standing Federation Committee, composed of the delegates, is to be brought into being to prepare the way for the elections. The territories involved in the Federation are Jamaica, Trinidad, Barbados, the Windward Islands and the Leeward Islands, with the exception of the Virgin Islands group. Two mainland territories, British Guiana in South America and British Honduras in Central America, sent observers to the conference, but have not yet decided to come in.

Federal Proposals since 1947

These territories comprise the oldest remaining group of British colonies. Jamaica, which possesses about half the total population of nearly three millions in the proposed union, has celebrated its tercentenary of British rule and so has Barbados. Trinidad was an acquisition from the French revolutionary wars and some of the smaller islands have as long and longer associations with the United Kingdom. Nor is Federation a story of only yesterday with them. Indeed, it has been a recurring theme in their history and the Leeward Islands Federation has only just been dissolved in anticipation of the larger scheme.

The 1956 conference brought to a culmination discussions which began with a visit paid to Jamaica in 1947 by Mr. Arthur Creech Jones, the Labour Secretary of State for the Colonies, who presided over the first conference of the modern series at Montego Bay.

The issue of post-war Federation in the British Caribbean has always been intimately intertwined with that other ever-present issue in modern colonial

affairs—self-government. And the question how far the present Federal agreement has moved the Caribbean territories towards self-government cannot be answered in simple fashion. Indeed, the connoisseur of colonial constitutions should fall with delight to examination of the checks and balances in the Federal document when it leaves the hands of the draughtsmen. It should prove a rare collector's item. Certainly, it will be a *colonial* constitution for, unlike the Malayan delegation who preceded them at Lancaster House, the West Indians did not go away with full self-government and the promise of independence at an early date.

The 1953 Conference gave the Federation a fully elected House of Representatives; an upper chamber, the Senate, comprised of nominees of the Governor-General, who would be appointed by the U.K. Government; and a Council of State (the executive body) consisting of an elected Prime Minister, three officials appointed by the Governor-General at his discretion, seven members nominated by the Prime Minister and three Senators appointed by the Governor-General in Council. Reserve powers over certain Federal legislation were given the Governor-General.

Mr. Manley's Points

Mr. Norman Manley, Jamaica's Chief Minister, came to the February conference objecting to some of these arrangements. He wanted the officials removed from the State Council and the Council's composition left wholly to the Prime Minister's discretion. He sought, too, a curtailment of the Governor-General's reserve powers and a more flexible method of amending the Federal Constitution. He was supported by Mr. Grantley Adams, the Premier of Barbados, but generally opposed by Trinidad's delegates, led by Mr. Albert Gomes.

Agreement was reached on the following lines. There is to be greater flexibility in amending the constitution; the officials are dropped from the State Council, but the Governor-General is given the authority to select three officials who have the right to attend all meetings of the Council and take part in its discussions. This arrangement is to be reviewed from time to time. The Senate retains its three places, but these appointments will be made on the recommendation of the Prime Minister. The Governor-General's reserve power is no longer to be exercised on specified bills.

Mr. Manley did not, therefore, get all that he came for, yet he expressed himself at the closing session as satisfied that the form of federal executive placed responsibility firmly on the people of the territory. And the Federation has already been called self-governing.

The probable fact is that both Mr. Manley and Mr. Adams, who have domestic experience of working with nominated upper houses and with officials and nominated unofficials on their executive councils,

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by CHARLES H. ARCHIBALD

will be able, if put to it, to handle the Federal Parliament so as to give the Federation *de facto* self-government. And there is the further condition in their favour that the Governor-General, in appointing the Senators, must now seek the advice of the unit Governors. Nevertheless, if a reactionary majority were to control the House of Representatives, some features of recent West Indian experience suggest that the constitutional division of responsibility could be utilised to obscure the source of unpopular legislation. And it has always to be remembered that no regional political parties are yet in being.

Powers of the Federal Government

The Federal Government will not be very strong in the first instance, nor will its activities be far ranging. The 1956 Conference, however, has given it certain immediate duties to perform, including the co-ordination of such joint services as the University College of the West Indies; student services in the United Kingdom, the United States of America and Canada; and intra-regional shipping. The Federal Government will also assume responsibility for group membership, or associate membership of any international organisation in which the federated territories at present participate.

External affairs, defence and immigration into and emigration and deportation from the Federation are on the exclusive list. Agreement was reached on the establishment of a Loans Council, the Federation being given the power to guarantee loans raised by unit governments. The U.K. Government is to consider West Indian proposals regarding outside assistance towards economic and social development of the area and to consult as soon as possible with the territories.

Some of the smaller islands are in receipt of grants-in-aid from the U.K. Government. During the first ten years of the Federation, an annual grant will be administered by the Federal Government. Other financial assistance which the United Kingdom will give includes Colonial Development and Welfare allocations to territories for the current period which ends on March 31st, 1960. These will continue to be administered by the territories with the Federal Government acting as co-ordinator. The U.K. Government is also to contribute £1,000,000 in a lump sum towards the initial cost of the capital.

During the first five years of its life (after which there is to be a general review) the Federation is to derive its revenue from profits on the currency issue and from a mandatory levy on the Unit Governments. Concurrent legislative power to raise revenue from excise and customs duties is provided. A commission will be established during this year to examine the problem of setting up a Customs Union and to report not later than two years after the Federal Commission comes into being.

A number of judiciary and civil service issues have had to be left over for decision by the post-Conference machinery, or by the Federal Government itself. And one outstanding controversy has again been deferred and special machinery devised to deal with it. This is the capital site. Jamaica has already withdrawn from the contest, but the current claimants would seem to be Trinidad, Barbados and two of the smaller islands, Grenada in the Windwards and Antigua in the Leewards. There will be more to the decision than merely resolving the natural jealousies of the contestants. Trinidad, geographically, is an offshore island of the South American mainland and it lags behind the other larger islands in political development. Its claim is based primarily on its excellent communication and accommodation facilities. Barbados is in the political forefront, is more centrally placed geographically and has serviceable communications and accommodation. But Barbados suffers from the disability of a type of racial discrimination which, although it does not appear to disturb the Barbadian unduly, is rapidly dying out elsewhere in the British Caribbean. Recently, the Barbadian House of Assembly had before it an anti-discrimination bill and, it is reported, members were shocked to know that it was thought to be necessary.

Grenada and Antigua suffer from their poverty, so that the issue may well be finally joined between Trinidad and Barbados. The ultimate choice could have a decisive influence on the future course of the Federation. The Secretary of State is to appoint a fact-finding commission, comprised of three persons who have never before visited the Caribbean. The commission will nominate the three most suitable sites in its opinion and the Standing Federation Committee will vote on these three.

A Focal Authority

Establishment of the Federal Government will give the Caribbean locally what it has had in the past to borrow from the United Kingdom—a focal authority. In the years since the war, the Comptroller for Welfare and Development in the West Indies (a United Kingdom official whose organisation was paid for by the British taxpayer) has been the central figure, but now he is to go within six months of the birth of the Federal Government.

The February conference expressed its desire to facilitate the entry of British Guiana and British Honduras into the Federation, and these two mainland territories will participate in the work of the standing committee on the basis of their association with the conference. They will share also certain regional services. If they come in early, rather than late, the prospects of the Federation will be enhanced, but even without them the islands have a chance of viability. And the Federation decision has certainly moved the centre of political gravity nearer home in the Caribbean.

RECENT REPRESSIVE LEGISLATION

AN alarming trend towards intolerance and authoritarianism is apparent in a number of repressive measures which have recently become law in East and Central Africa. It is not the purpose of this article to examine the underlying political reasons which may have led to the enactment of these measures but to examine the extent to which they encroach upon the rule of law and may prevent or inhibit the free expression of controversial opinions.

Ban on Books Yet Unwritten

In Tanganyika an 'Ordinance to Amend the Penal Code' became law on November 10th, 1955. Parts of it are innocuous, being concerned with drafting points or other insignificant changes in the principal Ordinance. Two sections, however, require special consideration. Section 5 extends the power of the Governor to prohibit the importation of publications (now widely defined to include not only books and papers but every known medium of communication). Under Section 51 of the Penal Code, now renumbered 51 (1), it was provided as follows: 'If the Governor in Council is of opinion that the importation of any publication would be contrary to the public interest he may, in his absolute discretion, by order, prohibit the importation of such publication, and in the case of a periodical publication may by the same or a subsequent order prohibit the importation of any past or future issue thereof.' A new subsection is now added to this, S. 51 (2), which reads: 'If the Governor in Council is of opinion that the importation of the publications of any specified person would be contrary to the public interest, he may, in his absolute discretion, by order, prohibit either absolutely or subject to specified exceptions or conditions, the importation of such publications, and may, by the same or a subsequent order prohibit, either absolutely or subject to specified exceptions or conditions the importation of the future publications of such person.' The amendment means that the Governor can now prohibit the importation of everything a named author has written or may write in the future without the necessity of specifying any particular publication, e.g. he, may prohibit the importation of 'the works of Bertrand Russell' or 'the works of Fenner Brockway.' This goes much further than the old S. 51 (now S. 51 (1)) in that it gives power to prohibit the importation of books which the Governor has not read for the simple reason that they have not yet been written.

In reply to a question put by Eirene White,¹ the Minister of State for Colonial Affairs attempted to justify this sweeping power by saying that it was 'designed to deal with any publisher, for example a Communist-dominated organisation, who consistently publishes matter considered to be contrary to

the public interest if circulated in Tanganyika' and that 'the overall ban on publications was on the publications of organisations such as the World Federation of Trade Unions and the World Federation of Democratic Unions, which are well-known Communist organisations.'

Apart from the bland assumption in this answer that the way to fight Communism is by preventing people from reading Communist books, it might give the misleading impression that the power of the Governor is in some way limited to prohibiting the importation of Communist publications. In fact the Governors' discretion is quite unfettered and experience in other places, e.g. Kenya and South Africa, has shown that wide powers of this kind are always abused by those upon whom they have been conferred. Moreover, Mr. Hare illustrated his answer with unfortunate examples. It is, to say the least, doubtful whether the Governor, wide though his powers may be, could impose an overall ban on the publications of the World Federation of Trade Unions or the World Federation of Democratic Unions since neither of these organisations is a 'person' within the meaning of the new subsection.

A New Offence

Section 6 amends the Tanganyika Penal Code by adding a new section, S. 63 B. The Code already contained provisions (Sections 55 and 56) making sedition an offence, and these sections follow what the Colonial Office call their 'model ordinance.' The amendment, without repealing Sections 55 and 56, creates a new offence in the nature of sedition, but not so-called, and is drafted in terms radically different from the model ordinance. The amendment provides: 'Any person who prints, publishes or to any assembly (defined as a gathering of seven or more persons) makes any statement likely to raise discontent amongst any of the inhabitants of the Territory or to promote feelings of ill-will between different classes or communities of persons of the Territory is guilty of a misdemeanour and is liable to imprisonment for twelve months. Provided that no person shall be guilty of an offence under the provisions of this section if such statement was printed, published or made solely for any one or more of the following purposes, *the proof whereof shall lie upon him*, that is to say:

- (a) to show that Her Majesty has been misled or mistaken in any of her measures;
- (b) to point out errors or defects in the government or the policies thereof or constitution of the Territory as by law established, or any legislation or in the administration of justice with a view to the remedying of such errors or defects; or
- (c) to persuade any inhabitants of the Territory to attempt to procure by lawful means the alteration of any matter in the Territory; or
- (d) to point out, with a view to their removal,

¹ *Hansard*, February 29th, Col. 1187-8.

any matters which are producing or have a tendency to produce discontent amongst any of the inhabitants of the Territory or feelings of ill will and enmity between different classes or communities of persons of the Territory.'

The most objectionable feature of this new section is the proviso which is far less satisfactory as a safeguard for the accused than the comparable proviso in the sections dealing with sedition. In the first place, in order to bring himself within its terms the accused must prove that the words complained of were published *solely* for one or more of the specified purposes. In practice this will be difficult if not impossible in the great majority of cases. For example, a political leader fighting an election campaign who makes a statement critical of the Government may be able to prove that the purpose of the statement was 'to show that Her Majesty has been misled or mistaken in one of her measures,' but he has small chance of establishing that it was not also made for the purpose of attracting votes to himself or to his party. The proviso may well afford some protection to the academic commentator, provided he is unpaid, but can hardly avail the practical politician from whom it requires a quite unattainable purity of motive.

Burden on Defendant

The second point to note about this proviso is that it places the burden of proof upon the accused. The Minister of State in the Parliamentary answer already referred to justified this by saying that whether the accused came within the terms of the proviso 'must be a matter particularly within his knowledge and is not likely to be known to the prosecution.' This argument (torn from another context—see R. v. Turner 5, M. & S. 206) would justify placing the burden of proof on the accused in all cases in which the prosecution had to establish criminal intent, at least to the extent of making the accused prove affirmatively his innocent state of mind. It need hardly be said that is not the law of England. Speaking of the Common Law, Lord Sankey said in Woolmington's case, 'Throughout the web of the English Criminal Law one golden thread is always to be seen, that it is the duty of the prosecution to prove the prisoner's guilt.' There are statutory exceptions, of course, but they are very unusual and there is generally some cogent argument to justify them. The only argument Mr. Hare was able to offer in this case is not very convincing.

On August 15th, 1955, the Public Order Ordinance became law in Northern Rhodesia. In some respects this legislation is similar to our own Public Order Act but contains one section of a most undesirable kind. S. 8 (1) provides:

'Any person who utters any words or does any act or thing whatever with intent to excite enmity between tribe and tribe or between one or more sections of the community on the one hand and any other section or sections of the community on the other hand, or with intent to encourage any person or persons to do any act or acts or to omit to do any act or acts so as to defeat the purpose or intention

of any law in force in the Territory or in any part thereof shall be guilty of an offence.'

It may be thought that the first part of this section is dangerously wide in scope. Like S. 6 of the Tanganyika Ordinance it is additional to already existing provisions about sedition, but unlike that Ordinance and unlike the sedition sections it contains no proviso of any sort to protect the accused. Racial issues are the very stuff of politics in Central Africa, and it is very difficult to see how they can be seriously debated without arousing a certain amount of bitterness between different sections of the community. Taken with the principle that a man is presumed to intend the natural and probable consequences of his conduct, that may well mean that the African politician fighting for more racial equality will often stand in danger of prosecution under the first part of this section.

It is the second part of the section, however, that really calls for attention. This obscure provision apparently distinguishes between what is said in any ordinance and what is its 'purpose or intent.' It is a first principle of the rule of law in this country that a man, in the words of Dicey, 'may be punished for a breach of the law, but he can be punished for nothing else.' It is criminal, of course, to incite another to break the law, but not criminal to show another a way round the law and advise him how to take it. That indeed is how counsel specialising in income tax and death duties make their living. The Government of Northern Rhodesia, in order it is supposed to prevent recourse to political boycott, have abandoned Dicey's salutary principle and adopted the jurisprudence of the People's Court. For example, if the Northern Rhodesian African Congress were to call upon the African members to withdraw from the Federal Parliament that might well be an offence against this section, although there is of course no law compelling them to remain members. Perhaps the worst feature of this law is the uncertainty it must create. It is reasonably easy to say whether an act contemplated is or is not forbidden by statute, but to decide whether it will defeat the purpose or intention of any law invites speculation, much of it political, and therefore unsuitable for determination in a court of law. The wisest course for the Government of Northern Rhodesia is to repeal the whole of this section, which is illiberal and obscure. If it is objected that the first part might be used to put down the colour bar, legislation more appropriate to that purpose could be specially introduced.

ROLAND BROWN.

THE WEST INDIAN IN BRITAIN

By Clarence Senior and
Douglas Manley

Edited by Norman Mackenzie

Fabian Colonial Bureau, 1/6. Ready April

Questions in Parliament

Riot Damage Ordinance, Northern Rhodesia. Mr. George Craddock asked what decision the Government of Northern Rhodesia had reached on official proposals made to the Government by members of the Legislative Council that the stoning of cars involved in accidents should be punished by collective sentences and public floggings of members of the African community. Mr. Lennox-Boyd replied that a Riot Damage Ordinance had been enacted. It would remain in force until the end of the current year and would then expire unless re-enacted. It provided that when a riot occurred, whether or not occasioned by the stoning of cars involved in accidents, the Governor in Council might declare the area concerned to be a 'riot damage area.' He might then appoint a Commissioner to assess the damage, to find out the names of all the inhabitants of the area and to discover how many of them had been present at the riot, which of them had tried to prevent the damage and to what extent the rest of the population failed to do so. On receiving this evidence the Governor might impose a levy on all or any of the inhabitants; but the levy must not exceed the total cost of the damage (including the cost to the Government) and no levy might be imposed if the Governor was satisfied that all those who were guilty of an offence had been prosecuted. The levy was to be paid into a Riot Damage Fund, from which compensation could be paid to the victims of riots. There had never been any official proposal for public flogging. (Feb. 24.)

Public Order Ordinance, Northern Rhodesia. Mr. John Hynd asked in which colonial territories, other than Northern Rhodesia, it was an offence to utter any words or do any act or thing with intent to encourage any person or persons to do any act or omit to do any act or acts so as to defeat the purpose or intention of any law in force in the territory or any part thereof; and in which territories it was proposed that comparable legislation should be introduced. Mr. Hare replied that Nyasaland had legislation similar to the Northern Rhodesia legislation which he thought the hon. Member had in mind. Apart from the law relating to incitement, he was not aware of any other cases. Regarding the second part of the question, he did not know of any other colonial territory in which it was proposed to introduce comparable legislation. Mr. Hynd asked if the Minister did not know of any example of comparable legislation in other colonial territories, did he not agree that there was comparable legislation in South Africa; and would he tell the House what were the special circumstances in Northern Rhodesia and Nyasaland which called for this specially rigid legislation? Mr. Hare replied that this legislation was passed by the Governments of the two territories concerned because, in the opinion of those responsible, that was a proper thing to do. (Feb. 29.)

Tanganyika Penal Code. In reply to Mr. John Hynd, Mr. Hare (Minister of State for the Colonies) said that no particular incident had inspired the amendment to the Tanganyika Penal Code which prescribes penalties for incitement to violence. When occasion arose to amend the penal code the Tanganyika Government decided to incorporate a provision making incitement to violence a crime punishable with up to three years' imprisonment, in view of the general desirability of discouraging such acts. (Feb. 22.)

Mrs. White asked what reasons led to the provisions in the Tanganyika Penal Code (Amendment) Ordinance, 1955, that a person charged under Section 63 B was to be assumed to have published the statement complained of with criminal intent until he had proved the contrary, and the provisions that empowered the Governor in Council to prohibit the importation into Tanganyika of books which had not yet been written. Mr. Hare replied that under Section 63 B it was incumbent on the prosecution to satisfy the court that the actions of an accused person were likely to promote discontent or ill-will. The provision described in the question made it a defence for the accused to prove that a statement was made or published solely for a legitimate purpose. The burden of proving this was no doubt placed upon the accused because whether this defence was or was not available to him must be a matter particularly within his knowledge and was not likely to be known to the prosecution.

With regard to the second part of the question, this provision was designed to deal with any publisher, for example a Communist-dominated organisation, who consistently published matter considered to be contrary to the public interest if circulated in Tanganyika. In a supplementary question, Mrs. White asked if he would not agree that these provisions were very wide of the model ordinances and that the principles involved in them were at variance with those usually accepted as principles of justice in a British court. On the question of publication, did he not think it was most undesirable that a general prohibition could be made concerning books or other matter not yet written, which therefore could not possibly be read and judged. Mr. Hare replied that a person could not be prosecuted without the written consent of the Attorney General. The implication that the new section removed the onus of proof from the prosecution to the defence was misleading, because the prosecution must still satisfy the court that the actions of the accused were likely to raise discontent and ill-will and no court, in his submission, would be likely to convict unless satisfied on this point. He thought he had made it clear that the overall ban on publication was on the publications of organisations such as the World Federation of Trade Unions and the World Federation of Democratic Unions, which were well-known Communist organisations. (Feb. 29.)

Guide to Books . . .

Nationalism in Colonial Africa

By Thomas Hodgkin. (Frederick Muller, 10s. 6d.)

READERS of the *Manchester Guardian* and *West Africa* will be familiar with Mr. Hodgkin's well-informed articles on colonial Africa. The unique quality of this book is the use he has made of his first-hand experience and wide reading to give us a comparative study of European policies and their influence on the rise of African nationalism. Up till now, the information has had to be assembled from out-of-date pamphlets and essays or up-to-date articles, which, though useful, have been restricted to a particular subject or territory. The author can interpret colonial Africa as a whole and can see the 'incipient nationalism' of the Congo, the developed nationalism of British West Africa, the nationalist aspirations of French West Africa, which have not reached the point of separatism, as a continuity. For most of us, he breaks new ground in his examination of the influence of the new towns with their swiftly-developing social, cultural and political associations, his description of the need of theories and myths and the role of the Christian Churches and the prophet movements in the development of nationalism. He reminds us that the forces exerted by Islam need further study, a timely comment as Islam is outstripping the other religions of Africa in the number of converts.

The principles and conceptions of British, French and Belgian policy are summarised and the contradictions in the implementation of policy in territories where there are European settlers. He discusses the effect of migration, the incentives to leave the countryside and the social problems that have arisen. He compares these problems with the urban conditions during the industrial revolution in Great Britain. African workers represent approximately only five per cent. of the population of colonial Africa, but their influence is by no means negligible. They come up against the industrial and social colour bar and they realise the enormous disparity between European salaries and African wages. There is a steady increase in trade union membership and the trade unions are inevitably linked with nationalist demands.

The European missions have played an important part in stimulating national consciousness, but the Christian separatist Churches and prophet movements are described in more detail as they have depended almost entirely upon African initiative and direction. The author gives us a fascinating insight into strange religious beliefs. In authoritarian colonial systems where religion is 'the only field within which emancipation is possible,' there is a wide variety of independent Churches, over 800 in South Africa having more than three-quarters of a million adherents. In the Belgian Congo, in 1952, there were over 3,800 political prisoners, members of one or

other of the prophetic sects inspired by martyrdom and resurrection.

Probably the most familiar chapter to readers of *Venture* is the account of political associations, divided into congresses and parties. Congresses arise, as in East and Central Africa, where there is little hope of the transference of power to Africans. They are anti-colonial protest movements, aiming to represent all Africans, using extra-parliamentary techniques, such as strikes, boycotts, civil disobedience and mass demonstrations as well as petitions through the usual channels. Their purpose is to exert pressure on the administration. Where the process of the transfer of power is taking place, through constitution-making as in British West Africa from 1949-1951, modern political parties come into being to appeal to the mass electorate. West African governments, following the Westminster model, are based on a party or a coalition of parties. Effective mass organisation has been made possible by the post-war development of international and internal air and road transport. In French West Africa, the major metropolitan parties have taken an active interest in the formation and support of political parties whereas, in British West Africa, these parties are indigenous in origin.

There is no space to deal adequately with the wide range of ideas and facts covered by Mr. Hodgkin's book; it should be read. His writing on theories and myths convinces us that we are only on the threshold of discovering the derivation of the many African civilisations. Through the work of anthropologists and archaeologists, the old conception of Africans as primitive savages throughout history is being disproved. A particularly valuable part of this challenging book is the bibliography which makes it possible for readers to study the references of each section.

Hilda Selwyn-Clarke.

African Crossroads

By Sir Charles Dundas. (Macmillan, 18s.)

Sir Charles Dundas has written a gentle book describing with modesty, humour and interest his life as a colonial administrator. Beginning at the age of 24 as an Assistant District Commissioner in Kenya, he passed through the various stages of the Service in Africa and the Bahamas, finishing his career as Governor of Uganda.

His story is made up of a variety of incidents, all illustrating the author's interest in people. Much of it, in a period which extends from before the first world war to near the end of the second, inevitably portrays the changed circumstances of the colonial

administrator during the past fifty years. Much of the earlier part will shock many of to-day's colonial observers. Sir Charles makes no secret of his earlier attitude in regarding most Africans as children. Indeed, in their reaction to their first contact with Western mechanics and customs, they behaved in much the same way as does a child. Yet he is still able, before the end of his service, to write of Northern Rhodesia, 'the only remedy might be enfranchisement and organisation on genuine trade union lines, whereby the proletariat may voice its desires in an orderly manner.'

This study is particularly interesting on the impressions of an early administrator in Kikuyuland. He voices an anxiety which has more recently been felt in other quarters when he writes, 'undoubtedly Kenya attracted individuals of a temperamental type, but I have always believed that many were strongly affected by altitude.' He also gives significant insight into one of the less savoury aspects of early administrative work in this area in his comment on the recruitment and use of African labour. 'The chronic cause of dissatisfaction on the side of the settlers was in the shortage of native labour. The native was not yet accustomed to wage-earning, and the European had not learned to make it attractive to him. The tendency was to look to administrative officers to persuade or coerce natives into going to work and we were expected to preach the gospel of labour on all occasions.' On the other hand, one of the most important aspects of the place of administrators in Kenya is also illustrated in the comment 'notoriously there was a so-called "settler-official feud" and it was exploited by press and politicians as part of their attack against Colonial Office rule. For already by then self-government was demanded, indeed I think it was more clamant than it is to-day. It was, of course, to be self-government by Whites only. The idea that Africans could have any part therein was ridiculed.' We may have well received a clue to the lessening of the clamour for self-government in the changed circumstances of to-day.

Altogether this is an interesting story told without rancour or prejudice. It gives an important insight into the difficulties, problems, but fascination of the work of a colonial administrator. We may also perceive the radical change in qualifications for a modern administrator as compared with those of the past.

John Hatch.

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Race and Politics in Kenya

By Elspeth Huxley and Margery Perham. (Faber and Faber. 25s.)

This is a reprint of the series of letters which these two most knowledgeable women wrote to one another in 1942 and 1943, with a reassessment by each of them bringing it up to date to 1955.

To anyone with a reasonably good background of information there is not much which is new or unexpected, as books like those of Dr. Leakey have caught up with a good deal which was tentatively expressed when the earlier letters were written. But as a serious introduction to Kenya this is an admirable book, as the problems are set out plainly and the two points of view, one to the right and the other to the left of centre, are always illuminating. It is also healthy to be reminded, as Mrs. Huxley says, how in Kenya time has not marched, but rocketed on. When it comes to re-assessment, one cannot help feeling that she has little positive guidance to offer. Miss Perham, on the other hand, views matters not without partisanship, but against the background of history, and her conclusion that the European has to face the end of a period, which for the African in particular will be a new age, may be unpalatable, but is undoubtedly true.

The book contains a most useful historical summary, excellent references and a number of lamentable misprints.

Eirene White, M.P.

Year Books

The following Year Books have recently been received:—

West Indies and Caribbean Year Book (Thos. Skinner and Co. Ltd., £2). This comprehensive publication covers information in the historical, geographical, economic, commercial and social fields, conveniently arranged, and is particularly well provided with maps.

Year Book and Guide to South Africa and the companion volume on East Africa (Robert Hale, Ltd., 9s. 6d. and 7s. 6d. respectively). These are useful for both business and traveller, and this edition contains a number of new features.

Nigeria Year Book (A *Daily Times* publication) and Gold Coast Year Book (A *Daily Graphic* publication) are good value at 1s. 6d. each.

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